

Minutes of the Veneta City Council

March 14, 2005

Council
Present: Mayor T. J. Brooker, Darrell Carman, Marion Esty, and Fred Miller

Absent: Thomas Cotter

Others: Ric Ingham, City Administrator; Sheryl Hackett, City Recorder; Margaret Boutell, Community Services Director; Kyle Schauer, Public Works Director; Carolyn Connelly, City Attorney; Mona Linstromberg; and Jeneca Jones, West Lane News

Mayor Brooker called the City Council to order at 7:03 p.m.

1. **PUBLIC COMMENT:** None

2. **CONSENT AGENDA**

MOTION: Fred Miller made a motion to approve the consent agenda as presented. Darrell Carman seconded the motion.

Vote: Marion Esty, aye; Mayor Brooker, aye; Darrell Carman, aye; and Fred Miller, aye.

The consent agenda as approved included minutes for February 28, 2005 and bills paid and payable for February/March 2005.

3. **DEPARTMENT REPORTS**

a. **FROM MAYOR/COUNCILORS**

- (1) Lane Transit District (LTD) strike concerns - Mayor Brooker said he received telephone calls from local citizens about the affect the LTD strike was having on the community. He had been prepared to ask the Council to support writing a letter encouraging the two sides to find a way to settle the strike. He said the issue has resolved itself because the strike has ended.
- (2) Personnel Committee update - Mayor Brooker said he met with the committee and discussed the proposed policy changes. All of the outstanding issues have been resolved and the handbook has been submitted to the City Attorney for legal review. The personnel committee will meet more often if issues are raised.

b. **COUNCIL/COMMITTEE LIAISONS**

Marion Esty (Park Board) - Marion attended the last meeting and met the four new members who seem very eager. They reviewed their roles, the goals of the Park Board, and discussed community concerns about the parks. They also discussed plans for the Easter Egg Hunt which will be held on Saturday, March 26th beginning at 11:00 a.m.

Ric announced the resignation of Tami Sakany as president of the Chamber.

James Dean reported that he has been selected at the new chair and the Board has immediately picked up energy and has been moving forward as a group.

4. STAFF REPORTS

a. FINANCE OFFICER/HR

(1) Draft Budget Committee Calendar for FY 2005/06

The first budget meeting is scheduled for May 5, 2005 and packets will be mailed April 30, 2005. The second meeting is set for May 19, 2005 and if a third meeting is needed it will be scheduled at that time. Meetings will be held at City Hall beginning at 6:30 p.m. The budget calendar includes the publication dates for hearing notices. The budget is scheduled for adoption on June 13, 2005. Mayor Brooker asked the Councilors to notify staff if they have any time conflicts.

(2) Changes in Fund Balances July-December 2004

Ric said the fund balances have been updated through December 2004. The only concern is the revenue side of the street fund because the gas tax is running a little late and the transfer from the State doesn't come in until April. He said they have been holding back on some street projects but at the same time, they want to be sure they don't end up with a large carry over.

In response to a question from Mayor Brooker, Ric said the county transportation CIP should be presented to the Commissioners later this month or the first part of April. Mayor Brooker asked to be kept advised because he wants to have an opportunity to testify.

b. COMMUNITY SERVICES DIRECTOR

(1) Public Works Monthly Activity Report for February 2005

Kyle Schauer presented the monthly activity report. The public works crew removed and installed new media in one of the filters and is currently running tests. The filter appears to be working a little better but it is still too early to tell. An electrical problem was repaired at the Jeans lift station before it affected any of the services. As a result of the good weather conditions, they were able to apply herbicides to the poplar plantation. Josh has been hired to help do the maintenance. In response to a question, he said the next planting is scheduled for 2006. Denny also attended training for herbicide application. A final walk thru was done for Ruby Meadows Subdivision and for Cottage Court Subdivision.

In response to a question from Mayor Brooker, Kyle said they have not been running the water production at full capacity because of the filter testing. He said all the reservoirs will be full when the City enters the dry season.

Ric said the one year warranty inspection for the Bolton Hill Reservoir was conducted last week. A few repairs were made to the coating but nothing of significance.

(2) **RESOLUTION 894 - A RESOLUTION ADOPTING THE STORMWATER CAPITAL IMPROVEMENT PLAN.**

Margaret said the CIP was distributed at the last Council meeting and the Planning Commission provided comments and support of the CIP at their meeting just prior to the Council meeting. The Council was provided with an updated spreadsheet dated March 8, 2005 which included a small reduction in the amount of project #6 for replacement of some driveway culverts with bridges. Due to the deteriorated condition of the existing culverts, it was determined that the property owners would need to replace the culverts with one that meets a design provided by the City. The methodology to support the SDC charge will not be available until the March 21, 2005 meeting.

Margaret provided the Council with written comments from Bill Kloos which addressed how the runoff from the west hills will be dealt with. She said the CIP can be flexible depending on how development occurs. The projects in the CIP are based on the best information the City has about what projects are needed. The priority of those projects will be determined by how and where development occurs.

City Attorney Carrie Connelly said if the CIP is adopted, the City will send a response to the comments submitted by Bill Kloos.

Ric said the narrative to the CIP explains that based on the 1999 City of Veneta Drainage Master Plan the CIP includes the stormwater capital improvement projects the City will need over a 15 year period. The CIP must be adopted before the City can put a stormwater SDC in place. The projects, priorities, and costs will need to be revised in the future.

In response to a question, Ric said the City already has some policies in place that address stormwater retention on the hillsides. Policy #7 in the Public Facility Plan exempts properties above the 450' elevation from retention for the ten-year storm event. The CIP calls for development on the hill to provide some detention along the streets.

In response to questions from the Council about whether technology for stormwater detention has improved since the 1999 Public Facility Plan was adopted, Margaret Boutell said the City Engineer does not feel today's technology and the economic costs can support constructing detention facilities on the hillsides. In response to a question from Mayor Brooker, she said a hydrology study and modeling would help determine what would or would not work.

In response to a question about the written testimony from Bill Kloos, Margaret agreed that the City will need to amend the Public Facility Plan to incorporate the stormwater CIP. She said the amendments to the Public Facility Plan will also include the transportation CIP.

In response to a question, Margaret said prior to adoption of the stormwater SDC fee, there will be a 60-day review period.

MOTION: Fred Miller made a motion to adopt Resolution 894 adopting the stormwater Capital Improvement Plan. Marion Esty seconded the motion which passed with a vote of 4-0.

(3) Public Contracting Rules

Margaret Boutell said the City Attorney was asked to attend the meeting to answer questions the Council may have about the rules they received at their last meeting. The Council was provided with a copy of guidelines on how to read the rules. Public hearing and adoption of the rules has been postponed until the March 28, 2005 Council meeting.

Mayor Brooker said the new rules will establish some policy and give staff direction on how items are to be purchased.

City Attorney Carrie Connelly said the new model rules are more flexible and allow for competitive quotes rather than formal bids for smaller services. The proposed changes for the City will allow the City Administrator to approve certain contracts and lays out a process for obtaining written quotes. Ric pointed out that many of the purchases the City makes are already in the budget. The Council can set a limit on the amount of the contracts that are approved by the City Administrator.

Mayor Brooker said he would like to have some checks and balances for the Council to review and approve purchases for things that are not in the budget. In response, Carrie said that could be a policy set by the Council. Ric pointed out that a transfer resolution approved by the Council is required for items not in the budget.

c. CITY ADMINISTRATOR

(1) Transportation SDC - Public Comments

Ric Ingham said the written public comments received on the proposed transportation SDC were included in the Council packets.

Mona Linstromberg; 87140 Territorial Road; Veneta, OR

Mona Linstromberg said cities are allowed to include in their SDC's a reimbursement fee for infrastructure that has already been built. In response to her question about why the City did not include a reimbursement fee in their methodology, Ric said the City does not have the information and transportation modeling for the City's existing street system to base a reimbursement fee on. He pointed out that two state highways carry the majority of the City's traffic and the City cannot charge SDC's for those highways. He said in the future when the City amends the SDC fee, they may have more information on which a reimbursement fee can be based.

In response to a question from Darrell Carman, Ric said the proposed transportation SDC charge has been reviewed by the City Engineer, City Attorney, and LCOG's experts and they all feel the City is taking a very conservative approach which is unlikely to be challenged. The City will continue to follow existing policy which requires property owners to pay for sidewalks.

In response to a question from Darrell Carman, staff said some developments have taken place on streets that need future improvements and which do not currently have sidewalks. In those cases, in lieu of installing sidewalks the developers have been required to sign agreements to install sidewalks in the future. Some of the future improvements will require drainage systems that may affect the design of the sidewalk. In the past, the City has had to replace sidewalks that have been required but had to be replaced when the street improvements were made.

- (2) Oregon Country Fair Access - Agreement & Opinion written by Attorney Gary Ackley.

Ric said the language in the draft agreement regarding the 20 day limit on the access to Territorial was not as strong as it was in the original 1999 sales agreement. He said both parties have agreed to amending that language; however, the City has not yet received a revised draft.

- (3) Council Retreat Work Session - Proposed Agenda & Report
Ric reminded the Council that a work session is scheduled for this Wednesday from 5:00 p.m. to 6:30 p.m.

The purpose of the meeting will be to establish some strategies and actions for the goals the Council agreed to at their retreat.

Mayor Brooker asked the Council to think of ways the City can accomplish their goals with the limited budget.

5. OTHER

- a. Wetland Delineation for Poplar site:

Margaret Boutell said a wetland delineation needs to be done before the remaining property can be planted with poplars. Staff has received two proposals within a similar price range. Staff recommends awarding the bid to Nancy Holzhauser of Environmental Solutions because she is already doing monitoring work for the City and her bid includes survey work. The other bid is based on aerial photos and may not be as accurate.

MOTION: Fred Miller made a motion to approve staff's recommendation to hire Nancy Holzhauser to do the wetland delineation. Darrell Carman seconded the motion which passed with a vote of 4-0.

Ric said the funds will come from those allocated for engineering, design, and construction for 2005. The mitigation needs to be done before permits can be

obtained.

- b. **Well 10 Land Partition:**
Ric advised the Council that the City Attorney has recommended doing a land partition for the Well 10 site to make it a legal lot. The City received several bids and recommended hiring Ford & Associates because they did the original boundary survey. Without the partition, to develop the property the other owners would have to sign off. After the partition has been recorded, the City can develop independently.

MOTION: Fred Miller made a motion to approve \$5,000 to process the land partition for the Well 10 site. Darrell Carman seconded the motion.

Discussion: In response to a question, Ric said the money will come from the land acquisition fund. Not all of the acquisition funds were used because the City swapped some land for the well site.

Vote: The motion passed with a unanimous vote of 4-0.

Mayor Brooker temporarily adjourned the City Council at 8:40 p.m. He said he will resume the regular meeting for the executive session following the Urban Renewal meeting.

Mayor Brooker called the Council back to order at 8:45 p.m.

6. **EXECUTIVE SESSION**

- a. **ORS 192.660(2)(i) - Review and evaluate performance of the City Administrator**
Mayor Brooker adjourned the Council into executive session at 8:45 p.m.
Having made no decisions, the Council returned to regular session at 9:35 p.m.

Mayor Brooker asked Ric for comments about his contract based on his evaluation. In response, Ric said he feels that overall the contract is solid and he feels well compensated for having the opportunity to work for the City of Veneta. He said he would like the Council to consider several changes to his contract, (1) paying the annual dues for Kiwanis so he can support that organization without the burden of paying the dues out of his own pocket, (2) rather than negotiating a salary increase he would like to be given the same COLA and insurance package as the other employees, and (3) having the City contribute 1% of his current salary as match for a deferred compensation plan.


MOTION: Fred Miller made a motion to approve three changes to Ric's contract; (1) a City match of 1% of his current salary to be placed in a deferred comp plan, (2) continuation of receiving the same benefit package other employees receive for COLA increases and insurance in lieu of negotiating a salary increase, and (3) paying an annual membership dues for the Kiwanis. Darrell Carman seconded the motion which passed with a unanimous vote of 4-0.

7. **ADJOURN**

Mayor Brooker adjourned the Veneta City Council at 9:47 p.m.


Fred Miller, Council President

ATTEST:


Sheryl Hackett, City Recorder
(minutes prepared by SL Hackett)